

NEW HAMPSHIRE EXECUTIVE BRANCH

ETHICS COMMITTEE

**OFFICE OF THE ATTORNEY GENERAL
ROOM 302**

**April 4, 2007
8:00 AM**

Meeting called to order by Chair David Nixon.

Present: John Blair, Dale Kuehne, David Nixon, Douglas O'Brien,
Deborah Schachter and Patricia Quigley.

Absent: One position is vacant

Also Present: New Hampshire Deputy Attorney General, Bud Fitch

- The minutes of the March 21, 2007 meeting were reviewed and approved.
- The following Draft Advisory Opinions were considered:

Draft Advisory Opinion 2007-008:

May a Board of Commission member receive compensation for teaching seminars that persons subject to the regulation of the Board or Commission are required to attend?

A motion was made and seconded to table this discussion until the April 18th meeting.

Draft Advisory Opinion 2007-009:

May a State employee attend a private small celebratory event sponsored by a private corporation, held to recognize private-public collaboration that lead to the adoption of a law?

A motion was made and seconded to make suggested revisions and to bring it back to the committee for approval at the April 18th meeting.

- A previously formed subcommittee, consisting of Dale Kuehne, Patricia Quigley, John Blair and Douglas O'Brien presented the following Draft Advisory Opinions:

Draft Advisory Opinion 2007-010

A family member of a State employee serves on the boards of a non-profit corporation regulated by the department that employs the State employee. The employee and his or her family are active in raising funds for the non-profit. The policy of the department has been that the employee-family member recuses himself or herself from participation in matter that relate to the non-profit corporation. Do recusals satisfy the requirements of the ethics law?

Draft Advisory Opinion 2007-011

May an employee of a Department that regulates nonprofit corporations serve on the board of a regulated nonprofit?

May an employee of a Department that regulates charitable nonprofit corporations serve on the board of a regulated charitable nonprofit?

May an employee of a Department that regulates non-profit corporations make personal financial contributions to a regulated non-profit?

May an employee of a Department that regulates charitable non-profit corporations make personal financial contributions to a regulated charitable non-profit?

May an employee of a Department that regulates non-profit corporations solicit contributions or otherwise seek funds for a regulated non-profit?

May an employee of a Department that regulates charitable non-profit corporations solicit contributions or otherwise seek funds for a regulated charitable non-profit?

Draft Advisory Opinion 2007-012

May an employee of a Department that regulates nonprofit corporations also hold part-time employment with a regulated nonprofit?

May an employee of a Department that regulates charitable nonprofit corporations also hold part-time employment with a regulated charitable nonprofit?

Discussion was held and will be continued at the April 14th meeting.

- David Nixon has mailed a letter to the Legislative Ethics Committee inviting them to attend the April 18th meeting of the Executive Ethics Committee.
- Due to his recent appointment as Safety Commissioner, John Barthelmes is resigning from the Executive Ethics Committee. A new appointment will be forthcoming.
- Bud Fitch informed the committee that copies of the previously adopted Advisory Opinions had been mailed to the New Hampshire Executive Council, the New Hampshire Senate President, the New Hampshire House of Representatives Speaker, the Department of Administrative Services, the Secretary of State, the New Hampshire State Library, the Legislative Ethics Committee and the New Hampshire Bar Association. Additionally, electronic copies will be provided to the Governor's Legal Counsel, the House Legal Counsel, the Senate Legal Counsel and to Commissioners and Agency Heads.
- Bud Fitch provided to the committee members a memo of opinion from Richard W. Head, Associate Attorney General of New Hampshire, regarding the jurisdiction of the Executive Branch Ethics Committee.
- Bud Fitch presented the final revisions to the Executive Branch Ethics Committee Complaint Form. A motion was made and seconded to approve the Complaint Form as revised.

- Bud Fitch provided to the committee members a proposed design for the website for the Branch Executive Ethics Committee. There were many positive comments received. The minutes of the Executive Ethics Committee meetings will be posted on this site.
- David Nixon reminded the committee that the meeting dates will change from the first and third Wednesdays of each month to the first Wednesday of each month beginning in May. The first meeting will be on May 2nd and is scheduled for two hours.
- There were no new complaints submitted to the committee.
- Meeting adjourned at 9:10 a.m.

Respectfully Submitted

Patricia C. Booher

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Recording Secretary

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